

1 **U.S. DEPARTMENT OF EDUCATION**
2 **OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT**
3 **VOLUNTARY NATIONAL TESTS**
4 **PUBLIC MEETING**
5 **May 19, 1997**

6 **MR. PHILLIPS:** Good morning. It looks like you
7 anticipated that I was going to say that, right? I'm glad to have you here, and as
8 usual I apologize for the short notice but actually you were given more notice I
9 think than we had with the other public meetings. This is an important meeting
10 for us. It's the fifth of the public meetings that we've had, and it really... what
11 we're doing is, we're zeroing in today on the licensing of the Voluntary National
12 Tests. We had four previous public meetings that primarily dealt with the
13 development of the test in reading and mathematics, and those are on the Web
14 if you wanted to see the transcripts of those. What we want to do today is focus
15 as best we can on the licensing aspects of the test, and what I will do in a
16 moment, I will go over, I will give you a general summary of the whole testing
17 program. Mark Smith will give you a summary of the basic answer to the
18 question, why are we doing this? And then we will focus in on the whole
19 licensing part of this. What I would like to do, I think, is to start with comments
20 by Anmarie. By the way, one quick thing, Ray Cortinez. You can see there's an
21 empty spot here. He's actually sitting back there. He has to leave shortly to do
22 a speech for Penn State there, so poor soul, he can't stay with us. I'd like to ask
23 Anmarie to make a few comments from our Contracts Office to keep us straight
24 and keep us legal here.

25 **MS. LIPPERT:** Good morning. Thank you all for

1 coming. My name is Anmarie Lippert. I'm a Contract Specialist with the
2 Contracts Office of the Department. The Contracts Office has a legal
3 responsibility that the procurements are conducted in a fair, full and open
4 manner in accordance with the Federal Acquisition Regulation, otherwise known
5 as the FAR. While normally we... while normal specific procurement
6 requirements are not usually discussed before they are publicly announced in
7 the Commerce Business Daily, we do have procurement regulations that we
8 have to do market research, and there's many methods for doing market
9 research, and we have announced a public meeting is one way to do our market
0 research. As you can see, there is a court reporter in the room today, and
1 today's discussions will be transcribed and I want to make sure that when you
2 speak to state your name and where you're from so the transcriber can point
3 you out. And also, if you sit in the back of the room and you want to answer a
4 question or ask a question, they ask if you can move forward or speak as loudly
5 as you can so everything can be picked up by the recorder. Also, if you haven't
6 signed in and put your address on the sign in list, please be sure to do that,
7 because we would like all of you people to be on our resource list when the RFP
8 does come out. We are contemplating placing a draft contract requirement
9 statement of work on the Website, and requesting public comments prior to the
0 issuance of an RFP. So, if you have any questions about this, please let me
1 know. You can ask them now, if you have any.

2 **MS. De'LIBERTO:** I assume that people who are at
3 this meeting will be allowed to apply for that RFP when it comes out.

4 **MS. LIPPERT:** Yes.

5 **MR. SMITH:** That's one reason why it's an open

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1 meeting.

2 **MS. LIPPERT:** Yes.

3 **MR. SMITH:** In order to protect your rights. This
4 also means it will be on the Website so you'll all have a chance to read yourself
5 and all of your flowing syntax. It's completely unedited, folks, so this is a chance
6 to see what you're doing.

7 **MR. PHILLIPS:** As Anmarie mentioned, we will
8 have a transcript of the meeting; it will be on the Worldwide Web. This is our
9 way of having public discussions and at the same time letting other people know
10 what was said, and so it's worked quite nicely with the other reading and math
11 development RFPs, and we plan to use this on all the RFPs related to National
12 Tests. By the way, even though all of you may not be sitting at the table, I want
13 everybody in the room to feel free to comment later when we get to that period.
14 And also, when you do make comments, I wish you would start...you would
15 indicate your name and your association again. That way it will show up nicely
16 on the transcript. Otherwise, I can keep asking you to state your name and your
17 association. I'd like to turn it over now to Marshall Smith, who is actually the
18 acting Deputy Secretary and Mike has to leave at 10:50 for another meeting, so
19 I'll give him as much time as he wants, and if you have questions for him after
20 his talk, please feel free to ask him questions because he does have to leave.

21 **MR. SMITH:** I only have to talk for a short while.
22 Basically, what I'll say is covered in a lot more detail on the Worldwide Web so
23 you can take a look at it there. The Secretary is out of town today, so I have to
24 fill in for him at a meeting at the White House at 11:15, so I don't have any
25 choice in this. But I'd like to be here.

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1 I've got two basic messages. One is that the purpose of this test
2 is not... or these tests, are not to test. The purpose of them are to change odds
3 for kids in the two critical areas of basic skills, reading and mathematics. Now in
4 reading if you don't learn how to... if you don't learn how to read independently
5 by the end of the third grade as measured in fourth grade, the odds of your
6 graduating from high school go way down. The odds of you going to college go
7 way down. Your success in future schooling is strongly, strongly decreased.
8 There's no question in my mind that one of the most important goals we could
9 possibly imagine, not just for education, but for every child and for the nation, is
0 that we give every child a chance to read, not just a chance, but we doubly give
1 them a chance, we triply give them a chance, we're aware in the first grade,
2 second grade, third grade, and so on whether or not those children will learn
3 how to read, and if they aren't reading better by fourth grade, to continue to
4 really push on reading.

5 Reading is the manipulation of language that is most powerful,
6 regardless of the subject. And of course it's not just reading books anymore. It's
7 reading stuff on the Web, and I talked about all the transcripts being on the
8 Worldwide Web. It's being able to read that and manipulate that, understand
9 that in the same way you would...left to right is the way you read in the United
0 States, if you read English at least. It's also the way that there are tricks, there
1 are concepts that are necessary if you're reading on the Worldwide Web. All of
2 those things become absolutely critical to a person's opportunity in this society
3 and to the freedom of the nation. We have a... we're facing an extraordinary
4 time now, and the information that's available to all of us is hundreds of
5 ~~thousands of times greater than it's ever been available to another generation,~~

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1 and the information that will be available to the generation of our children is
2 millions of times greater than the information available to any other generation.
3 You have to be able to sort through that. You have to feel confident about your
4 ability to process the symbols which create our language. And if we don't
5 succeed there, we fail as a nation. If we don't succeed there, all of our civil
6 rights fail. It's just... everything goes down the tubes.

7 And close to the same thing is true with being able to grapple with
8 reasonably complex mathematics by the end of eighth grade. That's the
9 gateway into college bound courses. The high school courses lead you to
10 college. That's the gateway for beginning to manipulate the kinds of symbols
11 you need to manipulate when you are thinking about the computer age and a
12 symbol age. Bob Reisch talks about the next generation being the age of
13 symbols, and it's not just our language any longer. It's also the logic and the
14 rigor and the focus that go into mathematics. It becomes part of the metrics,
15 part of the currency of our age.

16 So those are two critical points. They're critical points in two
17 ways. They're critical in the way that we organize our educational system. We
18 stop teaching reading, basically, after fourth grade. We stop. So if you don't
19 succeed by fourth grade, you're in deep trouble. And in mathematics, we shut
20 them off if they don't succeed in mathematics by the eighth grade. They'll never
21 get the kinds of opportunities other kids will get. Now it would be nice to change
22 those things. And I think over time we may be able to change those to give
23 really serious second opportunity to reading, second opportunity to math. It will
24 be a heck of a lot better for everybody in this society if we can get kids to the
25 point where they can really grapple with their reading in the third grade and in

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1 fourth grade and with mathematics.

2 So we see these as two foundations, as two core places that are
3 absolutely critical for every child to reach. And what we will do over the next two
4 years and three years, the time that this administration is in office, and hopefully
5 beyond that, is to focus on it and focus, focus, focus. It brings out all sorts of
6 wonderful things. It makes the standards movement come to life in a way it
7 hasn't come to life. It doesn't come to life when you just talk about the words
8 standards and systemic reform and all that sort of stuff. What does come to life
9 is that a child reading independently at the end of third grade can read this
0 book, can answer these questions, can write this kind of response to some sort
1 of query that is raised about at home. A child who grapples with math and
2 begins to comprehend it well by the end of eighth grade can solve this kind of
3 problem, can think about the application of math in engineering, in bookkeeping,
4 in computers, in electronics, in all of those things that are going to make up the
5 jobs of our future society.

6 So, the purpose of the tests is to work as a lever to help that effort,
7 to help these two campaigns get off the ground, catch fire, and it's an
8 extraordinary lever because it focuses peoples' attention on student work. And
9 it focuses peoples' attention on those particular goals of getting children to that
0 point. Nothing else could focus them quite so much. In part, that's, again,
1 because of our society, because we look at tests as important; because we think
2 about tests as we remember tests, we remember situations in our own life
3 experience.

4 So, we are aggressively, aggressively working on
5 all sorts of different fronts to give kids chances to learn to read better and to
~~learn mathematics better. And it ranges from in-service and pre-service training~~

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1 to working with NSF to distribute their curriculum in mathematics, to finding
2 really powerful new interventions in reading itself, reading orally, preparation for
3 reading well before school all the way up to reading orally, figuring out what are
4 really effective interventions at kindergarten, first, second, third grades when
5 teachers identify that the children in fact aren't learning how to read, to
6 encourage people to put resources into those kinds of interventions. Think
7 about the kinds of interventions that could be available after fourth grade,
8 because for the first few years, not all kids are going to reach there, and we
9 need some way to recover those kids as well.

10 So that's the point. That's the message. The second part of the
11 message is specific to this effort right here, and what we're trying to do here, as
12 Gary will lay out in some detail, I think, is to embed the assessment, embed
13 these two tests into the kinds of assessments that are normally given to
14 students- into the state examination systems that states give out, into the kinds
15 of examinations and test systems that private publishers put out and are
16 contracted for by local districts and by states, in some instances. We don't want
17 this to come out of the federal government, per se. We don't want it to come out
18 as a separate instance. We want this to be part of a student's life. Granted, we
19 realize that it will be hyped in a way that few tests have been hyped and so on,
20 but we want it to be embedded, for example, in the Maryland system of
21 assessments. Or we want it to be embedded along with the Stanford Nine
22 system of assessments that might be available to as, these are examples, that
23 might be given to students in some district or another in Boston, let's say. We
24 want people to have the opportunity to take it in a natural way, that is, Tom Pays
25 out in Boston deals with the publishers of the Stanford Nine. I believe he's

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1 accepted...they've contracted with the Stanford Nine, are working...Tom Pays
2 ought to have the opportunity to use this assessment just as part of the contract
3 that he develops with, is it McGraw-Hill, or whoever it is.

4 This is important for lots of different reasons. It's important
5 because it makes the test part of an overall assessment system. It makes
6 people think about how it fits in with lots of other things. It doesn't just come out
7 of the blue. It's important because we believe that the decisions about the
8 testing need to be made at the local district level, the state level. The way that
9 that test gets reported, decisions about that need to be made at the local and
0 district level. We will have as we'll see in just a few minutes, we'll have a set of
1 criteria actually which will be developed by and large by this contractor.

2 We have some preliminary notions about it. The set of criteria for
3 what will, for example, be the reporting criteria or requirements, but the nature of
4 the reporting of the test will be made available to parents and to teachers, and it
5 has to be in a way that's understandable in common sense kinds of things. It
6 has to show, you know, our people have to show what student work is all about,
7 we'll have to explain the test in a reasonable way, in a way that's more user
8 friendly than many tests that are now given. But we want different states and
9 different localities and different publishers to think about how to meet those
0 criteria, think about them in imaginative ways. So in effect it becomes at least in
1 part for local users a little bit of a competition about taking a look at, you know,
2 what kinds of services would you be provided, what will be the information that
3 would come out of these tests, what is available to us.

4 This particular contract thus turns out to be very, very important
5 because it's the link between the government, in a sense, and the actual

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1 application that the folks who actually deliver the tests, it is independent of the
2 developers of the tests. The contract will be... again, that's important because
3 we don't want the developers to have any special relationship with any of the
4 folks who might deliver the tests. We want that to be as absolutely above the
5 board as it possibly can be. So this contractor will be independent of the
6 developer, or it will be independent of the people who are actually giving the
7 test. So, let me stop here. Gary, why don't you go on or if there are any
8 questions, Gary will go into more detail about the last two or three minutes of
9 what I just said.

10 **MR. PHILLIPS:** Well, do you have any questions
11 for Mike at this point? Let's say policy questions, or whatever?

12 **MR. URWITZ:** This is a question which you might
13 answer or...

14 **MR. PHILLIPS:** You need to... let me just break in.
15 You need to...

16 **MR. URWITZ:** I'm sorry. I'm Jay Urwitz, from Hale
17 & Dorr, representing the Psychological Corporation. What function do you
18 envision the licensor having? What role will they play? Are they merely an
19 independent broker between the test developer and the licensees? Or are they
20 going to have a functional role in terms of evaluating the quality of the licensee?

21 **MR. SMITH:** Why don't you let Gary go through his
22 stuff because that's exactly the kind of thing he's going to go through, and we
23 might as well let him through...

24 **MS. De'LIBERTO:** I'm Deanna De'Liberto from D
25 ~~Squared Assessments, Inc. It was my understanding that a contractor or a~~

1 company could go and apply for all four of the contracts that are being
2 proposed.

3 **MR. PHILLIPS:** Okay. These are not Mike Smith
4 types of questions. Why don't I go through what I want to talk about, and then I
5 think you will have answers to many of these questions. I was thinking there
6 might be some policy, why are we doing this type of questions that you could
7 address to Mike. Yes.

8 **MR. NEWMAN:** Frank Newman, from ECS.
9 My...why are we doing this? No, what, as you look down...

0 **MR. SMITH:** I know it takes a while for you to pick it
1 up.

2 **MR. NEWMAN:** ...as you look downstream, this is
3 obviously an effort immediately trying to get underway with a relatively short
4 time span. But as you look downstream, are you able to project what you think
5 the right sort of place to be headed is in terms of the federal role and vis-a-vis
6 local and state roles on this?

7 **MR. SMITH:** It's an important question. We're
8 trying to balance obviously what appears, and then I think it can be argued to be
9 a little bit of change in the federal law. We're trying to balance that with the
0 deep seated belief that Dick Riley, Bill Clinton, small state governors, right,
1 having the integrity, and the responsibility, and deserve a little time in the states
2 and the districts to develop and establish education policy. This test is entirely
3 voluntary and linked in no way at all to federal funding. When we say voluntary,
4 that's what we mean. The state adopts this test and says that every school in
5 ~~our state should take it, or every district and school in our state should take it,~~

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1 then it's not voluntary at that level, or it becomes... but it is voluntary to the state.
2 It's voluntary to the decision maker who's going to make the decision about
3 where and how the test is used.

4 It is carefully selected. It's fourth grade reading and eighth grade
5 math, and people say to us, well, why not have fourth and eighth grade reading
6 and fourth and eighth grade math. Well, you begin to lose the power of specific
7 selection of two places that are real transition points in kids' lives. And to have, I
8 believe, and I think we can document this and, you know, we're working on it, I
9 believe a commonness in peoples' goals about what kids should know and be
10 able to do by the time they reach the fourth grade in reading. It's not
11 specification of how you get there. It is a specification through the NAEP, and
12 they're based on NAEP, which have been adopted by 43 states. But it's a
13 specification that's based on their performances, how the students do on these
14 assessments, and how well they can read, not whether or not they can... you
15 know, they can succeed at doing phonics, or whether they succeed at
16 something else.

17 And the same thing is true in mathematics. In the nation we have
18 a fairly common set of sequences in high school, so if you don't make it at some
19 level by eighth grade mathematics, you're not going to make it into certain high
20 school courses and so on. So also it comes back to the fascinating and
21 extraordinary reaction that lots of people in the country had to TIMSS, the Third
22 International Mathematics and Science Study, and the nature of mathematics in
23 other countries and what is taught in other countries, what is taught in countries
24 that tend to do better than us in mathematics and so on and how it is taught.

25 ~~And both those things really were wonderful examples because TIMSS had this~~

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1 great body of research with it. Wonderful examples of where the core of
2 schooling really matters. And it seems to really matter in mathematics.

3 That is if we get...if we have a different curriculum in this country
4 and we have teachers teaching differently than in other countries, our students
5 don't do as well. It is not because we have seven percent or nine percent of our
6 kids are only English proficient. It's not because of that. It's because they are
7 not getting the same kinds of opportunities that kids in other countries are
8 getting. So it comes down really to a selection of two sites. It comes down to
9 the basic skills. It comes down to notions that these are end points and through
0 that, through that basic strategy, what we're trying to do is limit the federal
1 involvement in this thing, and use it as a mechanism to motivate improvement in
2 reading, improvement in mathematics, to use it to motivate the standards
3 movement, as I said, it makes standards concrete, and that makes it come alive.

4
5 So, you know, it's a careful attempt that may not satisfy all people,
6 but we think it is a careful attempt. It doesn't just willy nilly go out there and say
7 here's a whole battery of tests that the federal government says should be
8 given. It has these kinds of constraints that I just talked about.

9 **MR. NEWMAN:** Just to be explicit, I think it is a
0 very valuable thing given the standards which is now spreading rapidly, but still
1 suffers from all the disadvantages that have been widely described, mainly that
2 it's hard to compare state to state, or sometimes even within a state, to have
3 some checkpoints that serve as grounding points, and to start with a modest
4 agenda and then build on it. But I hope that one result of this would in your
5 ~~mind be a step toward the direction where much better national data would be~~

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1 available which would influence the state developmental studies.

2 **MR. SMITH:** You're beyond us at this point.

3 **MR. NEWMAN:** That's why I thought I wouldn't say
4 it.

5 **MR. MORRILL:** Bill Morrill, from Avtek. Take
6 Frank's question a bit further. In making this distinction, important distinction
7 between federal and national that you're doing, to follow on. At least for the time
8 being, I take it you visualize the continuation of both NAEP and efforts like
9 TIMSS in the international score. Do you also visualize a continuing role for the
10 feds in paying the bill for this enterprise?

11 **MR. SMITH:** Okay. The answer to the first is
12 absolutely we are continuing NAEP. This will obviously not be given universally
13 across the country, nor will not be given in any way to a random sample. So, we
14 need to, we need the sampling of NAEP in order to give ourselves a
15 thermometer. We also need it because it covers a lot more grades and a lot
16 more subject matters. And so, you know, for all those reasons...and the TIMSS
17 is, I think, is an opportunity, it gives folks an opportunity to look at how we do
18 internationally and so on, and I think insofar as it tends to fit within the general
19 policy framework, giving this kind of assessment and making it available to
20 people, I think it will be continued to be given.

21 It will be free in 1999. There's no decision that's been made
22 beyond that. That is, the administration will be free in 1999. The development
23 of the test will be done free, free to people who use it. The taxpayer will pay \$10
24 or \$12 million a year for the test to be developed. It will be a new test every
25 year, that is, it will be an equated test and it will be new, because we're going to

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1 put this test as soon as it's done, as soon as it's through this window of being
2 given security rights in our window, bang, it will go on the Internet with a lot of
3 embellishment in it.

4 I don't know about future years, Bill. I don't think we should rule
5 out future years in terms of the government contributing to, to pay for it. This is
6 an important issue, of course, for people who might think about licensing this.
7 That is, it's obviously...it will be in effect the license will not cost any money, I
8 think beyond, I don't know... Gary will get into that. He's always an inch ahead
9 of me, or maybe a mile ahead of me on a lot of these issues. But in effect, it will
0 cost no up front money in the same way that many licenses do cost a bundle of
1 money. It's a...the test will be delivered.

2 **MR. PHILLIPS:** One clarification on the \$10 to \$12
3 million. That cost really is not just for the development. It also includes the
4 licensing, the cost of the advisory structure and the linking studies that we will
5 be doing which I'll be talking about shortly, so it's not a... that not just a
6 development cost. That's the entire budget essentially for the activity over the
7 next two years.

8 **MR. SMITH:** Okay. Let's, let's...

9 **MR. SNOWHITE:** If the state, Larry...

0 **MR. SMITH:** All these policy junkies, we need to...

1 **MR. SNOWHITE:** If the state wants to administer
2 the test, will they be allowed to collect the data, aggregate it, order it...

3 **MR. SMITH:** Yes.

4 **MR. SNOWHITE:** ...anyway they want?

5 **MR. SMITH:** Yes. Within certain...there will be

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1 certain criteria, but they will have a lot of flexibility within those criteria.

2 **MR. PHILLIPS:** Okay. What I will do is to give you
3 some details about the structure of the design of the test, and then I will get... I
4 will follow that with issues related to the whole licensing. But I think many of you
5 may have heard some of this before, but some of you have not. So I want to
6 give you some general background information, and then we'll get more
7 specifically into the licensing. You should have copies of these overheads.
8 Okay.

9 These are some of the overall characteristics of the test, and
10 these are sort of things that are givens and are difficult to change at this point.
11 Bill Clinton himself has weighed in on these things, and so if we want to change
12 these, we really have to go talk to him. Number one, the test is voluntary, and
13 as Mike said, it is voluntary in the sense that the federal government will not be
14 requiring anyone to take this test. States could do that if they wish, or districts
15 could do that, but the federal government will not do that. The test will provide
16 an overall annual indication of student proficiency in reading and English at
17 grade four, and mathematics at grade eight. It is intended to report results to
18 parents and teachers, so this is not like NAEP or TIMSS which reports to policy
19 makers and educators.

20 This is intended to be a test that specifically is focused on giving
21 good information to parents and teachers. The reading and the math will
22 provide national standards, and we'll do that through a statistical linkage to
23 NAEP, so we'll be able to provide basic proficient and advanced information on
24 the test, and it will provide international standards through a linking to TIMSS,
25 ~~and there's a separate contract to do that linking. The linking will be a lot like~~

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1 what we're doing currently with the NAEP and TIMSS project.

2 This is the sort of the guts of the whole thing. Number one, there
3 will be no individually identifiable student information given back to the federal
4 government. Sorry about this shape that was here. It's a...

5 **MR. SMITH:** It's a small earthquake.

6 **MR. PHILLIPS:** Right, it's a...what that means is
7 that this is not going to be a data collection activity like NAEP or TIMSS. The
8 federal government is not collecting information or data. The only information
9 that we would get back, we, the federal government, would be if the state, for
0 example, produces a report, we would get a copy of that report. But there will
1 be no data file sent back to us. There would be, by the way, though, some data
2 collected as part of the field testing and equating, so it will be drawing
3 probability samples and data activity, and there that the data will be kept
4 confidential. But those will be small samples and really are not being collected
5 for recording purposes.

6 The test will be consistent with the joint technical standards which
7 are being revised. Revisions will be out at about the same time as the first test
8 administration in 1999. We do plan to have this test consistent with those
9 standards. There will be inclusion criteria and appropriate accommodations.
0 Both of those are part of the development contract, and so those criteria and the
1 accommodations will be worked out once the contract is awarded to develop the
2 test in September. We have some pretty good ideas what those will probably
3 be now, but we need to have more discussion of those. There will be
4 comparable forms from year to year so that when you get...when the test is
5 administered in the year 2000, it will also...it will be comparable to the test that

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1 was administered in the year 1999.

2 We intend to report in a metric that's easily understood by parents
3 and teachers, so I'm sure we're going to be avoiding scale scores, things like
4 that, and we will be having a lot of focus groups with students, parents, and
5 teachers trying to find a good metric that they intuitively understand and can
6 relate to.

7 The NAEP framework will be used. The NAEP framework is a
8 given here, and one of the ways...one of the reasons why we're able to get this
9 test off the ground in two years instead of the normal three or four is that the
10 framework is already developed for NAEP. We intend to use the reading
11 framework at grade four and the math framework at grade eight. We do
12 have...we will, however, be changing the item and test specifications, and we'll
13 be starting with the item and test specifications that NAEP already has and
14 making modifications of those. The Council of Chiefs and school
15 officers and MPR, David Mandel in fact is here from MPR. I don't see Wayne
16 Martin from the Chiefs. But that project is already started and will run through
17 August. The plan there is that by the end of August the item and test
18 specifications will be revised and they will be ready in time for the development
19 contract which will be awarded in September.

20 The general structure of the item and test specifications panel is
21 they're going to have an overall panel which is sort of a policy type panel, and a
22 large number of associations and other groups will be represented on that
23 panel. Then there will be a reading and a math panel which will actually
24 develop the specifications, and a technical group giving the whole group...all
25 ~~three of those...the other three panels technical advice. And as I said, that is~~

1 already up and running, and the first meeting of that in fact is this Friday
2 coming...this Friday of the overall panel. There is a...this has been announced
3 in the Commerce Business Daily, and it's also on our Website which I will be
4 mentioning in just a moment.

5 As I said before, this test will be linked to NAEP and TIMSS
6 through a statistical process. The test will be up to 90 minutes of testing time.
7 This is about twice what NAEP for example gives in mathematics, which is about
8 45 minutes. So this is about twice what NAEP gives. About half of the testing
9 time will be spent on non-multiple choice items, approximately 80 percent of the
0 test will be multiple choice with 20 percent constructed response, and of that 20
1 percent, there will be one extended constructed response item on the test. In
2 addition to the regular test, there will be a special booklet of extended
3 constructed response items which we will give to teachers annually, and that will
4 be developed as part of the development work, and it will have national data
5 and that sort of thing, and scoring guides, and this entire test booklet will be
6 given to teachers. It can be used for instructional purposes, for your own
7 testing, or whatever. We will have some advice as to how that can be used.
8 But that's not a part of the test, of the 90 minute test.

9 There will also be a sample test available in 1998. We plan to
0 have after the field testing in March of '98, we plan to have a sample test which
1 will be given to the public on the Web along with scoring guides so that people
2 can see what this test is all about. It's not the test we're going to be giving in
3 1999, but it's a sample of that type of test. The test and the scoring guides will
4 be released to the Web every year so that once the administration is over, it will
5 ~~be released to the Web and the press along with scoring guides. The results~~

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1 will be recorded within the same school year. That's a firm plan. We think we
2 can do that within...so that means it has to be done within two months. If the test
3 is administered in March, we will have the results by May, and this of course is a
4 constraint on the development in that we've got to make sure as we are
5 developing the item and test specifications that we develop the test that can be
6 reported with quick turn around.

7 There will be an ongoing research component associated with the
8 test. Some of the first things that we will be doing in the first year will be looking
9 at validity issues with various subpopulations, special populations, and also
10 different test uses. But there will be an ongoing annual research component so
11 that as problems come up, we'll be able to address them through independent
12 research. There will also be an overall evaluation component. In this sense it's
13 sort of like NAEP which has an overall evaluation. There will be an independent
14 group that will be at all meetings and will see the whole process and will report
15 to the Congress and the President on an annual basis about the success of the
16 program and make recommendations for improvements.

17 There will be an advisory structure which looks something like
18 this. There will be an overall advisory committee, a technical panel, evaluation
19 I've already mentioned, and then with each of the development contracts, there
20 will be an advisory committee to the development contractor. So in reading,
21 there will be an advisory committee for reading, and also one in mathematics.
22 And those will be content and testing experts and other technical people as well
23 giving the contractor advice. And that will be an ongoing panel which on an
24 annual basis continually provides advice to the contractors.

25 In general, there will be a three year assessment cycle which

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1 looks something like this. Let me take the year 2000 as an example. In the year
2 2000, which is right here, in order to administer the test in the year 2000, it will
3 take three years to get there. Items will be written in 1998 and piloted. Then
4 there will be a field test and equating and that sort of thing will be done in 1999,
5 and then the test is actually administered in the year 2000. Also in the year
6 2000 there will be three assessments going on at once. While the year 2000 is
7 being administered, the field test for the year 2001 will be occurring as well as
8 the item writing for the year 2002.

9 Now, we do have a little bit of a problem here in '97, as you
0 can...and the reason for that is that we would normally like to have three years
1 to get to 1999, but the award for the development won't happen until September
2 of '97, so there will have to be some catch up for this first year. And once we get
3 past this first year, then everything will be fine. That's precisely why we wanted
4 to do the item and test specifications outside of the development contract so that
5 by the time the development contract is awarded, those item and test
6 specifications will be complete.

7 Now to give you an idea of the overall time line, everything so far
8 is on schedule. In fact, we're a little bit ahead of schedule in some ways on
9 some of the aspects of this. It's amazing what you can get done when you have
0 the President supporting you. The item and test specifications, as I said, will be
1 going on from May through August. Those will be complete by the end of
2 August. The contract will be awarded for reading and math development
3 beginning in September so that the specifications go naturally into the
4 September award. We'll have the technical panel on board in October, the
5 ~~linking contracts, these will be awarded during that month. The evaluation, we~~

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1 may have this done sooner than October, and the one we're talking about today,
2 the licensing and certification, I need to change that to just licensing now, that's
3 the language we're using, will be awarded in November. And today's meeting is
4 a public meeting to talk about the plans for that award. And that's what I'll be
5 getting into shortly. Another important ingredient which I want to mention...yes?

6 **MR. SNOWHITE:** Excuse me. Larry Snowwhite
7 representing Riverside Publishing Company. Will there be a similar public
8 meeting to describe the evaluation of contract and function?

9 **MR. PHILLIPS:** I'm not sure about that. We have
10 to decide how we will do the evaluation and depending on that decision, then
11 that will structure our activities.

12 **MR. SNOWHITE:** Will there be information posted
13 on the Website?

14 **MR. PHILLIPS:** Yes. Another important part of this
15 whole thing is the Website. We do have a Web address. It's part of the
16 Department of Education Website, and everything that's publicly available in the
17 testing program is there, so you can go there at any time and see everything
18 that there is available. All the public meetings that we've had, the RFP is
19 currently there. We had a draft of the RFP on the Website for two weeks and
20 we got excellent comments back from various groups, and those comments
21 were extremely helpful to us, so we plan to continue to use this process of
22 having the draft RFP on the Website. It really helped us a lot in structuring the
23 RFP that's currently there. I can't begin to tell you how much help that gave us.
24 There were dozens of meetings and lots of people involved in reviewing the
25 ~~comments that we got on the Website.~~

1 Also, we will use this for archival purposes, so once something
2 happens in the program it will be stored there so you can go back and see what
3 happened. And we will also be announcing events and disseminating
4 information. The meetings of the Chiefs are I believe now on the Website, or at
5 least the first meeting is on the Website, and this meeting was on the Website,
6 and future meetings will be as well. By the way, there will be another
7 meeting...another public meeting on the licensing. And that will be at the
8 National Academy of Sciences on June 12th and 13th, and if it's not already
9 mentioned on our Web, it will be shortly. And we want to have two meetings on
0 the licensing, the one we're having today, and the one that the National
1 Academy of Sciences will have. It's their meeting, but it will be open to the
2 public. This is our meeting today, the Department of Education's meeting. And
3 again, there will be transcripts from the meeting of the National Academy of
4 Sciences as well. The whole idea of these meetings is to get feedback from you
5 about what we're planning to do so that when we structure the RFP, it's in really
6 good shape, and that RFP will be on the Web after the June meeting. Okay?
7 Okay, that's general background. Yes.

8 **MR. URWITZ:** The meeting on June 12th and 13th.
9 I'm sorry, Jay Urwitz, representing Psychological Corporation. The meeting
0 then, will it be...will you have some document that you will be producing
1 between now and then, or will it have a different substantive purpose, or just in
2 terms of planning, for those of us who are here today, is there a reason for us to
3 be at that one?

4 **MR. PHILLIPS:** There's always a reason to be at it.
5 ~~Mike Feuer is here. I'm not sure that we have it nailed down yet, but maybe~~

1 Mike has some comments.

2 **DR. FEUER:** We're narrowing it down. The
3 meeting is June 12th and 13th. It is going to be a public meeting, but I would
4 ask that you please call us and let us know that you'd like to attend, because we
5 do have, as it is, we have to move this off site and I'll be giving information about
6 where we're actually going to be holding it. But even where we're going, there's
7 space limitation. We'd like to know in advance, if you're planning to attend.

8 The scope and purpose of the meeting, I think, is to go at least
9 one step beyond the kind of details that Gary is going to lay out today. It is to
10 raise a set of policy and practical issues about the licensing aspect of this whole
11 initiative. Questions that pertain to the appropriate uses of the tests, the
12 safeguards that can be introduced to prevent certain kinds of possible abuses
13 and really to try to focus on that set of issues that can make this thing work, as
14 best as possible. That's the scope and purpose of that meeting. We are, as I
15 speak, my staff is putting the agenda together. We're waiting for call backs from
16 people we've invited. We're commissioning, at least one paper and several
17 short mini-papers and it should be a very interesting two days. So, stand by, but
18 please do let us know if you want to attend, that's all I ask.

19 **MR. SMITH:** Jay, the shorter answer to that. There
20 were two reasons I think you should be aware of at least. One is that things do
21 change, on the basis of that, if you look back at the web site and you look at the
22 open meetings we've had, you can see changes in specifications for this thing,
23 that have been based on comments from the meeting. So, that's one reason.
24 Second reason, I think it will just get into a lot more depth on a lot of the issues.
25 ~~A longer period of time and people will be more aware, after this meeting.~~

1 I have to run. I'm sorry I cannot be here. I hope the meeting is
2 fruitful. Be completely open and just ask the tough questions, because I think
3 we need them. We're still at the stage where we can use tough questions in
4 order to shape this thing, to make it more effective. Thanks.

5 **MR. PHILLIPS:** Thanks, Mike. What I want to do
6 now is to get into the licensing issues, the purpose of the meeting. I do agree
7 with what Mike said, please ask the tough questions. This is an important time
8 for us in our thinking. My assumption is that the meeting that we'll have in June
9 will be a little more focused. This is kind of a broad based meeting, but by that
0 time there will be more issues that we'll want to get more specific about. Okay.

1 The contract work...yes?

2 **MR. NEWMAN:** Excuse me, Gary. Frank Newman,
3 ECS. Can I take you back to something you said in passing?

4 **MR. PHILLIPS:** Sure.

5 **MR. NEWMAN:** You mentioned that you hope it
6 will be successful, conclusive, and I assume that you'll, that you'd really like it to
7 be a test that could be administered to all students, which means you have to
8 have some provisions for special ed kids, language kids, et cetera...

9 **MR. PHILLIPS:** That's correct. We've already
0 committed ourselves to having a bilingual version of the math test. There would
1 be a Spanish bilingual version. English on one side, Spanish on the other. The
2 reading test is a reading in English test. I know there are issues and concerns
3 about that. Of course we are dealing with that, thinking about it, trying to work
4 our way through it. But at the moment, well, not just the moment, it is a reading
5 in English test. The reason for that is that it's based on a framework which is a

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1 reading in English test and the standards that were developed by the Board are
2 based on an English test, reading in English test. So, there are a lot of technical
3 issues that we'd have to work through, but there will also be accommodations,
4 extended time, things like that and maybe one on one possibly, other things.
5 But a whole bunch of accommodations and the inclusion criteria itself has to be
6 worked out. We do plan to have that worked out in public meetings. So, there
7 will be opportunities for various stakeholders to have input into that. But that's
8 part of what is done in the development work. We don't have that today.

9 The contract we're talking about today is to manage the licensing,
10 to issue the licensing and manage the licensing of the test. This is one of five
11 awards for the voluntary test. There was the one for item specifications, which
12 went to the Chiefs and to MPR. The test development one will be awarded in
13 September, the evaluation and linking in October, and this is the one in
14 licensing. Now the idea here, what we want to do is, this is a little bit different
15 from other testing programs. What we want to do here is make a test available
16 and we want them to be administered, scored, printed and reported under
17 licensed conditions. This is the way that we are able to maintain quality control
18 and to let everyone know that there's a level playing field in the administration.
19 I'll get more into the specific details of that in just a moment. In fact, I probably
20 should've showed you another overhead. Does everybody have the
21 overheads? There should be two sets of overheads. If you don't have them,
22 Clarence will give them to you.

23 **MR. SNOWHITE:** Gary?

24 **MR. PHILLIPS:** Yes.

25 **MR. SNOWHITE:** While you're doing that, Larry

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1 Snowwhite, representing Riverside. The contract will be let in November, when
2 will the product be due?

3 **MR. PHILLIPS:** Okay. Let me get into the specifics
4 of that in just a moment. Okay? Let me state one prior thing, which I should've
5 gone over. The administration, scoring, analysis and reporting, first
6 administration we're shooting for March of 1999. Scoring, analysis and
7 reporting will be carried out by licensed organizations, test publishers, states,
8 school districts, et cetera. The et cetera there, I'm not sure who we might be
9 talking about, but at this point, these are the three types of entities that we're
0 fairly sure of. A random sample of test administrations and the activities of the
1 licensed organizations will be monitored and that will be monitored by this
2 licensing contract, which I'll get into in just a moment. During the first year of
3 administration, and possibly in subsequent years, depending on the Congress,
4 the licensed organizations will be reimbursed for their costs. Test administration
5 will be consistent with all civil rights laws and IDEA and even though the
6 scoring, the printing, scoring and analysis has to be done under strict
7 standardized conditions, there will be flexibility in the reporting. Reporting, what
8 that means is like some states may only produce student reports, some may do
9 school reports, some may do district reports. Some states may have
0 background questionnaires, so they may want to analyze instructional practices,
1 things like that. There are currently no plans to have background
2 questionnaires with this testing program. If you want the kind of analysis that
3 you get from NAEP, you might want to participate in NAEP.

4 Bidders for the management contract must submit draft standards
5 ~~for accepting performance for the four different functions. So, what we have~~

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1 here is, we want to have a company or organization or a consortium thereof,
2 managing the licensing of the tests. They need to develop standards for
3 printing, for distribution and retrieval, for scoring and reporting. Now many of
4 these guidelines are already part of the development contract. So, by the time,
5 so what I'm saying is that the company that's really going to know the most
6 about the printing of this test and the scoring is going to be the development
7 contractor. So, the scoring guides and other guidelines related to scoring will be
8 developed by the scoring contractor. That will be taken by the license
9 management company and applied consistently throughout. Yes?

10 **MR. CROSS:** I'm Chris Cross from the, I guess
11 from the Maryland State Board, for purposes of today. But do you literally mean
12 bidders or do you mean the awardee?

13 **MR. PHILLIPS:** No, it's part of the...Dan, can you
14 help me out here? We really mean bidders, right?

15 **MR. SLATTERY:** Yeah. Bidders for the
16 management contract, exactly.

17 **MR. PHILLIPS:** Right.

18 **MR. SLATTERY:** At the meeting of the General
19 Council, to avoid confusion, we were calling the management company a
20 management licensed company and we were calling the people that would then
21 receive license, license providers. So, we dropped the licensing out of the initial
22 part, and it's only the management company, the bidders themselves.

23 **MR. CROSS:** Where are they going to get that
24 information from?

25 **MR. PHILLIPS:** I see what you're saying.

1 **MR. CROSS:** There's a logical problem...

2 **MR. PHILLIPS:** I see what you're saying.

3 **MR. CROSS:** You're not going to award the
4 contract until September, at which point you'll probably have had proposals
5 already submitted for this.

6 **MR. PHILLIPS:** Right, that's right. I think what
7 we're trying to get at here are not the specifics of the actual guidelines, but
8 proposals on approaches to printing and distribution and scoring and reporting, I
9 think that's what we're trying to get at here.

0 **MR. SLATTERY:** We have asked for performance
1 standards for helping shape the application forms. But there are two crossovers
2 with the test development contract where specifications are delivered and the
3 draft dates that we worked out, on February 1st, the final specifications would be
4 available and we would have a meeting between the test development
5 contractor and the contractor that's awarded the management contract
6 overseeing this process.

7 **MR. CROSS:** No, I understand all of that. The
8 question is...

9 **MR. PHILLIPS:** Right, and what you're saying and I
0 agree. What you're saying is that the specifics of these things are not going to
1 be available at the time this thing is awarded, that's right. I don't think that's the
2 intention of it. What you have to do is provide approaches to how you would
3 conduct your work in these four areas, and also how you would monitor the
4 activities in these four areas. I'm sorry that's not clear, I'll have to change that in
5 future discussions here.

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1 **MS. De'LIBERTO:** Deanna from D Squared
2 Assessments. I'd like to re-ask the question I asked earlier, which is, is it
3 possible for the same contractor, I believe you said no to this. But my
4 understanding before coming to this meeting was that anyone could apply for
5 more than one contract, but you would select only one contractor for each of the
6 five areas. So, you couldn't get more than one award, but you could apply for
7 more than one.

8 **MR. PHILLIPS:** Which five areas are they?

9 **MS. De'LIBERTO:** The five contracts, which of
10 course you already have a contract for the first one.

11 **MR. PHILLIPS:** No, a company can get any one of
12 these awards. Are you referring to the first five I put up?

13 **MS. De'LIBERTO:** You can get more than one, is
14 what I'm saying.

15 **MR. PHILLIPS:** Sure, if I understand what you're
16 saying. Are you saying, can a single company get more than one of those?

17 **MS. De'LIBERTO:** Right. However, I thought you
18 said you wanted the licensing or I thought that Mike said that he wanted the
19 licensing and the test development to be totally independent from each other?

20 **MR. SLATTERY:** Yeah.

21 **MR. PHILLIPS:** On the test
22 development there is a problem with, when we had the meeting with test
23 publishers, there was a lot of concern among the test publishers that this would
24 be awarded to a test publisher. I don't know the legality of that yet. We need to
25 ~~work that through, but I think there is a big issue there, of whether or not a test~~

1 publisher gets this. Our expectation is that this...

2 **MS. De'LIBERTO:** Right.

3 **MR. PHILLIPS:** ...would not be a test publisher.

4 But again, I don't know what the legality is.

5 **MS. De'LIBERTO:** Well, the question is, can a
6 company apply for more than one?

7 **MR. PHILLIPS:** The answer is yes.

8 **MS. De'LIBERTO:** That's fine.

9 **MR. PHILLIPS:** But there is an issue here, which I
0 think is a legal issue, about the test publisher and the licensing. Our thinking is
1 again, one of the things, when I get to the questions in a moment, what are the
2 types of companies, if you can refer to the very last page, one of the big issues
3 is, and I want to get feedback from you, what are the types of companies, are
4 these management firms, are they organizations. If you look around the room,
5 there are publishers, organizations, management firms and other types of firms,
6 types of companies which in our thinking are potential people that would be
7 involved in this. Others just need to know that this is happening. So, that's sort
8 of why the group is as it is today.

9 **MS. De'LIBERTO:** Well, just to expand on that. I
0 can tell you, I have a lot of experience in test administration and in terms of the
1 printing test booklets, but we could not even come up with a price, to tell you
2 how much it costs to do the printing, because the test developer has to decide
3 how many items there will be, that translates into how many pages there's going
4 to be. So, these are things where I think, until those specifications come out, it's
5 ~~going to be very hard for anyone to realistically put in an RFP for this kind of~~

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1 stuff.

2 **MR. PHILLIPS:** Well, I didn't say it was going to be
3 easy. There are going to be lots of, I mean, bidders bid on things all the time,
4 but they don't know all the specifics. That's just the way it is.

5 **DR. PEGRAM:** Exactly.

6 **MR. SNOWHITE:** Larry Snowwhite, Riverside
7 Publishing. One of the difficulties, we don't really know what the functions and
8 responsibilities and authority of the management contractor will be over
9 licensees. A concern that has been expressed was that the licensing has, the
10 licensing contractor will have potentially tremendous authority over the
11 licensees.

12 **MR. PHILLIPS:** Exactly.

13 **MR. SNOWHITE:** And whether it's a publisher or a
14 state or a school district, and I think that was the point of raising the need for
15 independence between a supervisor and those who are being supervised.

16 **MR. PHILLIPS:** Right. I think it might be wise to,
17 let me go through the details of this and I think some of the questions will be
18 answered, others will not be, but at least we'll have a common understanding of
19 what I'm talking about. Some of the questions you're asking are the questions, if
20 you go to the last sheet, are questions that we want to get your feedback on.

21 Another important aspect is test security, which will be a major
22 component of all four of the functions I mentioned. The printing, the scoring,
23 distribution, et cetera. We do expect test security to be a big issue in the test. I
24 can imagine an army of computer hackers out there trying to figure out a way of
25 ~~cracking the code and getting the answers to the test. So, we have to be able to~~

1 be better than they are. So, the test security is a big issue and we'll be looking
2 for your proposals on how to maintain test security. One of the things that we,
3 that is in the RFP for the development, is that there would be, in 1999 there
4 would be an initial test developed, there would be a back up test, which would
5 be kept under extremely secure conditions. There would be a research form
6 available and the sample test that I mentioned. So, those are four types of test
7 forms that would have to be developed in the development contract. But test
8 security is very important and we'll be looking for proposals on test security as
9 part of this contract. In addition, the management contractor will monitor a
0 random sample of test administrations and organizations responsible for
1 printing, distribution, scoring and reporting. Now the goal here is not to check
2 on every school, nor even every state. The goal here is to check on enough
3 administrations, enough scoring sites and that sort of thing, so that we're
4 comfortable that the system is working. If there are problems with scoring, let's
5 say, it might be the administration is going well, but there are problems with
6 scoring, then give this information in the future to fix those problems. So, it's a
7 quality control for the overall system. It's not checking in on every school, but it
8 will be random and you need to have proposals as part of the proposal here, as
9 to how you would conduct that, what the size should be, things like that.

0 Another big piece is that the management contractor needs to
1 propose a reimbursement procedure. What this means is, that in 1999, we have
2 a commitment from the President and the Department, assuming that Congress
3 is in agreement, to reimburse the costs of the test administration and the scoring
4 and printing and that sort of thing in 1999 and possibly in future years. There
5 ~~needs to be a proposal as to how that reimbursement procedure will take place.~~

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1 How does the money flow, like from the Federal Government to the licensing
2 contractor to the license providers, what's the flow and what's the mechanism?
3 This needs to be dealt with as part of this contract. It might be that the things
4 that I'm mentioning now might end up being specific topics that we hone in on at
5 the June 12th meeting. I'm not sure exactly what the topics would be, but there
6 may be aspects like this, that we really need to get more input on and have
7 more discussion.

8 Okay. How does this work? Each license from the management
9 contractor will be given to an organization or set of organizations, which can
10 collectively carry out the four functions. In other words, the management
11 contractor will give a license to, let's say, it could be a single company, that's
12 able to do all four. It could be a consortia of companies, which collectively could
13 do all four. It could be a State, which can do some and then within another
14 group, can do all four. But the license is given to an organization or set of
15 organizations that can carry out the four functions. Yes?

16 **MR. URWITZ:** Jay Urwitz, representing
17 Psychological Corporation. That suggests that before any State or LEA can
18 participate, they have to form their own group. Is that the contemplation, their
19 own group to do all four functions?

20 **MR. PHILLIPS:** They have to show, this
21 management, the licensing management contractor that they have the capacity
22 to print the test, to administer it, to score it and report it.

23 **MR. URWITZ:** My question is, that suggests each
24 group has to coalesce and form an organization itself. Might another way of
25 approaching it be simply to have an approved list, let's say of scorers, or

1 printers, so that an LEA doesn't have to form its own coalition, but can simply
2 say I will, I know that these are the twelve organizations to whom I can submit it
3 for scoring?

4 **MR. PHILLIPS:** That is one model. It is not the
5 model that we're currently looking at. The trouble with that model is that you
6 don't have the kind of quality control and you have too many moving parts.
7 What we're trying to do here is provide both the flexibility that that model
8 provides, but to build in a little more quality control in the system.

9 **MR. URWITZ:** So, again you're just, you're
0 envisioning that before any part can be a licensee for one of these functions,
1 they need to show some kind of joint venture agreement, whatever the
2 terminology is, to show that it has a specific bilateral agreement with some other
3 organization to do the other function.

4 **MR. PHILLIPS:** Right. Let's just take a couple of
5 examples. I didn't, I probably should've had more hypothetical examples here, I
6 only have three. But I could probably have six or seven. Let's say for example,
7 here we have the management contractor, which is what this contract is about.
8 They want to give licenses, let's say that we have three different configurations
9 of licenses. This license provider is a single company. The company, this
0 single company has a corporate capacity to score the test, to train the
1 administrators on the test, to print it, that sort of thing. At which point, this
2 company could, let's say, they could give the test, a State could use this
3 company to give the test, a set of LEAs might do it, or maybe a consortia of
4 private schools could do it. So, there could be a group of private schools, a set
5 of private schools that can go to this company and the test could be

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1 administered in that way.

2 **DR. FEUER:** Gary, just a point of information. If a
3 State doesn't choose to participate, an LEA still can?

4 **MR. PHILLIPS:** Yes.

5 **DR. FEUER:** How far down does that go? I mean,
6 if a PTA decides they want to...

7 **MR. PHILLIPS:** No, I think we have to, at this point
8 our thinking is down to the LEA level.

9 **DR. FEUER:** But that would be something that
10 would be determined by Federal policy in some format?

11 **MR. PHILLIPS:** I think what we would like to do is,
12 again as far as we're thinking today, it's at the LEA level. But it is possible that a
13 consortia of schools, like private schools, could get together and could go to,
14 let's say a company and do this. But I think you're at a level of detail where I'm
15 not comfortable with saying that's what we can do. I think that's the sort of thing
16 that needs to be proposed here, and it might be a question that we might need
17 to deal with at your meeting, where we will have experts talk about this and
18 possibly papers. Yes?

19 **MR. MORRILL:** Bill Morrill, if I may take and follow
20 up on Mike's question. It does seem though, that at the outset of all of this,
21 there is going to need to be some negotiations with the State. First and
22 foremost, are they in or are they not, with the Governor and/or the Chief School
23 Officer. Is it anticipated that the management contractor conducts that as part of
24 their important functions or is that amongst these licensed groups?

25 ~~**MR. PHILLIPS:** You're asking, is it the~~

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1 responsibility of the management contractor to enter into agreements with
2 states, the way NAEP does for example? Is that what you're saying?

3 **MR. MORRILL:** Yeah, I mean, the State has
4 obviously a choice as to whether they want to administer themselves or get
5 some other vendor to help them. But presumably somebody needs to work out
6 with them, are they in the game and in what way, and whose responsibility is
7 that? Is that not the management contractor?

8 **MR. MANDEL:** I'd like to ask the question slightly
9 differently. David Mandel, from MPR. That is, will the management contractor
0 have any responsibilities in marketing?

1 **MR. PHILLIPS:** Monitoring?

2 **MR. MANDEL:** Marketing.

3 **MR. PHILLIPS:** Oh, marketing.

4 **MR. SLATTERY:** At this point, the SOW, the way
5 we've drafted it, the answer to both those questions would be yes.

6 **MR. PHILLIPS:** I think that's, I think the answer is
7 unknown at this point. Let me take down these questions. There's a delicate
8 issue here. One of the things that we do have to work out is what is the role of
9 the Federal Government, what's the role of the management group and that sort
0 of thing. We haven't quite got that worked out. But those are important
1 questions, but I don't think I have a good answer for you. Yes?

2 **DR. LARAMY:** Gary, John Laramy here. I
3 represent Riverside Publishing. Let me ask the question this way, what if a
4 particular state goes on record saying that as a state they're not going to
5 participate in the voluntary test, but yet you have a local education agency, or a

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1 number of local education agencies that say, we're going to discard what the
2 state says and we're going to go forward and participate. How do you plan to
3 deal with the politics of those kinds of situations?

4 **MR. PHILLIPS:** Okay. I think the test is like any
5 other test. Let's say you have a state that wants to go, decides they don't want
6 to go with a norm reference test. Then some districts say, well, that's great, but I
7 think I'm going to go with the norm reference test. It's a test just like that.
8 There's no, that's just sort of the way I think we see it.

9 **DR. LARAMY:** Well, the states, you know, being
10 delegated the right to education in the state, they could mandate this is not good
11 education practice and say that we don't want...

12 **MR. PHILLIPS:** But those are legal issues that the
13 state has to deal with. That has to get worked out as part of the state system
14 and the issues in the state. Yes?

15 **MR. RUDNER:** Larry Rudner. One of your earlier
16 comments kind of implied that the lowest level is the LEA. Yet as I understood
17 the State of the Union address, the idea is to report back to parents and
18 teachers, voluntary for them. I suggest that you allow opportunities for
19 somebody who is qualified, you can get an individual administration, parents, or
20 home schoolers or others that opportunity to get a license, rather than limit it to
21 an LEA. For example, somebody might team up with Catholic, who might do an
22 adequate job in test security and deal with the administration portion of it.

23 **MR. PHILLIPS:** Yeah, I understand your question.
24 Again, I don't have a good answer today. I think what the question is, what
25 you're getting at is, how many different types of configurations and how far down

1 can you go. Like for example, could five parents get together and decide they
2 want to have this test given to their children, or could five schools or things like
3 that. I think we need more work on this. At this point,...

4 **MR. RUDNER:** At this point I would suggest
5 stopping at the licensee. The licensee is responsible for all those categories,
6 and for me those categories define whoever they administer to, if they meet the
7 standards. Rather than saying the licensee is only good for an LEA or a State.

8 **MR. PHILLIPS:** Okay. Yes?

9 **MS. De'LIBERTO:** Deanna from D Squared
0 Assessments, Inc. I see some conflicts that need to be dealt with, because with
1 regard to the test development people, in the RFP it says that they are
2 supposed to choose geographical appropriate areas that get all aspects of the
3 population involved in the pilot and the field tests. Apparently, someone is
4 going to have to administer those pilot and field tests. So, what I envision could
5 be possibly a problem is, the developer selects a school district and so forth to
6 be involved in that pilot, yet they do not meet these requirements for security,
7 publishing, licensing and so forth. That could be a problem, so therefore, what
8 I'm proposing is that the licensee and licensing management company and the
9 test development company are going to have to work on that together.

0 **MR. PHILLIPS:** Okay, the piloting field testing is
1 done as part of the contract to develop the test. That company doesn't have to
2 have a license; they've got the contract to develop the test. So, that will be done
3 as part of that and that company is responsible for the integrity and quality
4 control of those testing sites and the scoring and things. Is there another
5 question? Yes?

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1 **MR. SNOWHITE:** Larry Snowwhite of Riverside.
2 Again, clarification on relationships. If an entity is, I'm thinking in terms of
3 contractors and subcontractors, will there be any restriction on entities
4 participating as part of the management contractor function and then being,
5 participating as a licensed provider?

6 **MR. PHILLIPS:** Say that again...

7 **MR. SNOWHITE:** Assuming that, well, assuming
8 that the licensees may be involved with subcontractors, would there be any
9 restrictions on an entity being a contractor or subcontractor for the management
10 contracting contract, and being a licensed provider?

11 **MR. SLATTERY:** Yes. Right now the distinction is
12 that whatever firm is awarded the RFP...

13 **MR. SNOWHITE:** Excuse me, could you identify
14 yourself?

15 **MR. SLATTERY:** Dan Slattery, work on the
16 Volunteer National Test Management Team. The way the SOW is drafted today
17 is that the management contract firm that was awarded the bid may have
18 subcontractors helping them perform the variety of tests that are written in to the
19 RFP. But if they choose to have a subcontractor help perform those tasks,
20 those same firms cannot be listed as subcontractors under a licensed provider.
21 That would be a conflict.

22 **MR. URWITZ:** Nor could they be a licensed
23 provider?

24 **MR. SLATTERY:** Nor could they be a licensed
25 provider, correct.

1 **MR. PHILLIPS:** It makes a certain amount of
2 sense. Mike?

3 **DR. FEUER:** Mike Feuer, National Academy of
4 Sciences. The current thinking is for a single management contract for the
5 entire nation, in other words?

6 **MR. PHILLIPS:** Yes. Right. That's correct. Now
7 other options would be, we want that to be selected as well, I mean, that's why
8 you're here. We want to make sure that we hone in on the very best to do this
9 work.

0 Another example would be, so here's a case where a single
1 company is able to do all four. There might be another case which a single
2 company can, but if you combine B, C and D, several companies, B, C, and D, it
3 might be that for example, company C is an expert at scoring, and D is an expert
4 in printing, things like that. So, they might go in as a consortium. The way that
5 would likely work is, you would have one main contractor and the rest would be
6 subcontractors. Then that group would get a license to administer and score
7 the tests. Then again, they could do it with LEAs and States and other
8 configurations that we may come up with. Finally, it may very well be that there
9 may be a state, and I should put maybe there might be an LEA, a large LEA,
0 that has the sort of a corporate capacity to administer, score, and report the test,
1 at which point they could get a license from the management contractor.

2 **DR. FEUER:** Gary, Mike Feuer again.
3 Hypothetically, a State could, through its Governor or Chief decide to participate
4 in this program and then the, what's the opposite of granted, be prevented from
5 ~~doing so because the license, not be given a license to do so.~~

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1 **MR. PHILLIPS:** Say that again. If a State wants to
2 do this...

3 **DR. FEUER:** Yeah, a third option there. You have,
4 the State wants to participate...

5 **MR. PHILLIPS:** Right.

6 **DR. FEUER:** Therefore, it has to demonstrate to
7 the management contractor that it has the capacity to carry out these functions.

8 **MR. PHILLIPS:** Right.

9 **DR. FEUER:** Or contract with somebody who does,
10 yes. But suppose the management contractor reviews that and says neither do
11 you have the capacity yourself, nor do we like the companies that you're
12 hooking up with. So, the management contractor would essentially have
13 authority to supersede that of the State. Is that contemplated here?

14 **MR. PHILLIPS:** No. No, I don't think...again, this is
15 like any other test. If you go to, if a State wants to go to a norm reference
16 testing program and they want to give a test, I'm assuming that norm reference
17 testing company would say, well, you have to have some minimum capacity to
18 administer this test. If the State doesn't have that capacity, they would not get
19 access to that test. Am I correct about this, that you just don't give tests to
20 anybody that wants them off the street? So, the same thing would happen here.
21 If a State or a district wanted to administer the test, they have to demonstrate to
22 the management contractor, this is their function, to guarantee that that group
23 has the capacity to print it, score it, report it, in a way that meets time lines and
24 meets the guidelines. If they can't do that, they don't get a license.

25 **MS. BETKA:** But they can go buy it from someone

1 else who's licensed.

2 **MR. PHILLIPS:** Right.

3 **MS. BETKA:** Except there's no buying, because
4 the Federal Government is going to reimburse those costs.

5 **MR. PHILLIPS:** Right. So in other words, this State
6 might go over here to this company and say, well, I can't do it myself, but I really
7 want to give this test. So, I go to this company or this consortium of companies
8 or other configurations.

9 **MR. SLATTERY:** Gary?

0 **MR. PHILLIPS:** Yes.

1 **MR. SLATTERY:** A point of clarification. When the
2 management company has completed the assessment, during an open period
3 for licenses, one of the tests that they're going to be asked to do is to provide
4 publicity and distribution of reports, which shows all of the people who have
5 been licensed. For instance, the state might decide not to enter in, they may be
6 weighing, do we do this ourselves or do we go with a licensed provider. They
7 may see the list or know of people who have been awarded it and decided to do
8 that, or they may decide to apply and follow the scenario that Gary laid out.
9 Then if they did not receive the approval to be able to be authorized as a
0 licensed provider for all those functions, then they have the option of going to
1 the approved list and picking out a licensed provider, who has already been
2 authorized to do so.

3 **MR. SNOWHITE:** Excuse me again, Dan. That's
4 inconsistent with what you said earlier, in response to Jay's threshold question.

5 ~~Having a list of approved entities that are licensed to conduct the various~~

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1 functions, because if you had, say State A, State A seeks a license and it
2 subcontracts...

3 **MR. PHILLIPS:** No, what I think what Dan is saying
4 is, these guys would be listed so we know who they are, that's what he's talking
5 about.

6 **MR. SNOWHITE:** Okay. Let's go back, take my
7 hypothetical of the State. The State says, we're going to subcontract with three
8 entities. The licensing manager would presumably review the credentials of the
9 State's subcontractor.

10 **MR. PHILLIPS:** Right.

11 **MR. SNOWHITE:** Again I fail to see why this
12 centralized function is going to be qualitatively and quantitatively different from
13 having a list of individuals who say I'm capable of doing this, that, and the other
14 thing, which is again an LEA can contract with X to print, Y to administer and Z
15 to score.

16 **MR. SLATTERY:** Well, that's the original concept.

17 **MS. BETKA:** One of the reasons is the
18 reimbursement. In order to make the reimbursement, our current plan is that the
19 reimbursement is made to the licensee. If you spread it out and allow all of the
20 different organizations to be licensed, to do a piece of it, then the
21 reimbursement becomes much more difficult. That's one of the reasons.

22 **MS. De'LIBERTO:** I'm Deanna from D Squared
23 Assessment. I'm trying to envision this in the scope of other tests that I've
24 worked in administering. For example, we have the SAT, what ETS does is,
25 ~~they decide who is going to be an appropriate test center. They ensure that~~

1 there's someone who's trained to supervise it that's there, who then trains the
2 staff. So, I'm seeing this as being number one, very vague, because are we
3 proposing that a licensee, if it's not a school district or state organization, that
4 some other company from the outside is going to come into the school and
5 administer this test, because that's not the way most exams currently are
6 administered.

7 **MR. PHILLIPS:** No. They're not coming and
8 administering the test, they would guarantee that the administration that is
9 conducted is done in a way that meets the guidelines.

0 **MS. De'LIBERTO:** That also could be problematic
1 from my experience.

2 **MR. PHILLIPS:** Why problematic?

3 **MS. De'LIBERTO:** Well, I've observed various test
4 administrations and there are clearly some schools that have the capacity to
5 secure the materials for the exam and there are clearly others that do not.
6 That's why ETS and a large number of other companies will actually determine
7 which school sites are capable of administering that test, because they either do
8 or do not meet those security standards.

9 **MR. PHILLIPS:** So, why is that problematic?

0 **MS. BITHER:** That would happen here also.

1 **MR. PHILLIPS:** Right. That seems like that would
2 be what you would want to happen.

3 **MS. De'LIBERTO:** Right. What I'm saying is, if it's
4 decided that State A is going to mandate this test to all schools in their particular
5 state, that everybody must take that test, if that's the option, there could be a

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1 potential that there may be some schools within that State that do not meet the
2 security guidelines for administering that test.

3 **MR. PHILLIPS:** Right. That's an issue that has to
4 be worked out between the licensing, between the various entities, the licensing
5 management contractor, the companies that have the license, and the states.

6 **MS. De'LIBERTO:** That will all have to be worked
7 out very soon.

8 **MR. PHILLIPS:** Sure.

9 **MR. RUDNER:** Larry Rudner. What about
10 consequences of the licensee not meeting its responsibility, i.e., giving tests in
11 an unsecured school?

12 **MR. PHILLIPS:** I'm sorry, I didn't...say it one more
13 time.

14 **MR. RUDNER:** Have you thought out, or is this
15 going to be part of the RFP for the management contractor to deal with
16 breaches of security and violations of the criteria?

17 **MR. PHILLIPS:** Part of the RFP. The whole
18 security issue has to be dealt with clearly here and the management contractor.
19 Yes?

20 **MR. URWITZ:** Jay Urwitz. Are you envisioning any
21 constraints on the developer being a licensed provider? I know we've talked
22 about...

23 **MR. PHILLIPS:** That's the legal issue, which I'm...

24 **MR. URWITZ:** It strikes me that there are two
25 issues. One, it seemed clear that people were talking about constraints on the

1 developer being the management contractor.

2 **MR. PHILLIPS:** Right.

3 **MR. URWITZ:** But now the question is, if there's an
4 independent management contractor between them, are you envisioning
5 constraints on the developer participating as a licensed or being a licensed
6 provider?

7 **MR. PHILLIPS:** I don't see where there would be a
8 constraint there. It's in the management that's at issue, the management where
9 there's an issue. Other questions?

0 **MR. SNOWHITE:** Just having looked at the
1 remaining sheets, some of the threshold questions, one, when will the contract
2 for the licensing management be awarded? Two, following up on the previous
3 question, can you ascribe, I'm sorry, not awarded, when will the product be due?
4 Secondly, could you try and describe in more detail what you're envisioning the
5 functions and responsibilities of this licensing manager to be? Because it
6 sounds like the FAA is responsible for promoting aviation, while at the same
7 time regulating safety. That has created some inherent tensions that have been
8 observed. Are we talking about marketing or are we talking about enforcement?
9 What are the terms and conditions of a license? What powers will this licensor,
0 licensing management entity, you know, have? Can they reply to a complaint
1 without independent investigative authority?

2 **MR. PHILLIPS:** Those are great questions.

3 **MR. SLATTERY:** Sir, in response to your question,
4 in drafting the SOW, there are good questions and we have talked about them
5 and kicked them around from a brainstorming perspective, and we're trying to

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1 include the specificity in the SOW to address those issues. We're still in the
2 drafting stage, and as we present it to team members, we get different
3 perspectives that cause you to adjust your draft accordingly, as with any
4 document that's a living, breathing thing undergoing changes. But we are trying
5 to address those and nail them down.

6 **MR. PHILLIPS:** The marketing and the
7 enforcement issues are things that we're dealing with internally now. Who is
8 legally liable for what? Just what is the outreach effort that this management
9 contractor will have? I don't have answers to those questions today. Yes.

10 **MS. De'LIBERTO:** The next question I have, is it
11 the licensing management contractor's responsibility to actually train the people
12 who are going to be the licensees, so to speak, on the procedures? I would, as
13 an aside to this, I think it's the management company that's going to be the best
14 qualified to actually investigate test day complaints or test day problems.

15 **MR. PHILLIPS:** I don't know what you mean by
16 trained. They will not be training the...

17 **MS. De'LIBERTO:** There will be a training manual,
18 that's developed by the test developer contractor.

19 **MR. PHILLIPS:** Yeah. But if the management
20 contractor would have to train a licensee, I don't think they should get the
21 license. They would, what you do, what the management contractor does,
22 again, is to review the corporate capability, the capacity of the companies or the
23 States or the LEAs to print, distribute, retrieve, score and report, in a timely way,
24 keeping, maintaining item security. There will be guidelines and procedures
25 ~~that will be in place in order to do that. It's the responsibility of this company,~~

1 this management company, to review those procedures and make sure that the
2 group that's asking to get a license has that capacity.

3 **MS. De'LIBERTO:** Who's responsible then for
4 assuring that the people who administer the test are properly trained?

5 **MR. PHILLIPS:** That's the responsibility of the
6 licensee.

7 **MS. De'LIBERTO:** That's my point.

8 **MR. PHILLIPS:** That's one of the things you get a
9 license to do is to, let's say you're a company and a State might want to come to
0 you to have this test administered. You do that through training the teachers
1 and the schools or providing a way of training the teachers and the schools. It
2 might be, you may not be actually going to training yourself, but you might be
3 overseeing the process that results in the training of the teachers.

4 **MS. De'LIBERTO:** But that is an important part of
5 the process of administration is to make sure that the people that are giving the
6 test are actually trained. I just wanted to know...

7 **MR. PHILLIPS:** The whole idea of this is to have a
8 mechanism in place that guarantees standardization and quality control in the
9 printing, the scanning, the security, the distribution and retrieval materials, the
0 scoring and reporting.

1 **DR. FEUER:** Are you...

2 **MR. PHILLIPS:** Leave it go until noon, right?

3 **MR. MORRILL:** Are you doing any more charts?

4 **MR. PHILLIPS:** I have two more charts. The time
5 lines for the award are these. We're looking for an award in November. So, it

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1 will be on the web in June, following the meeting of the National Academy of
2 Sciences, for several weeks. Then on the street in July, with an award in
3 September. I'm sorry, an award in November.

4 **MS. KOVAR:** Excuse me. The draft SOW...

5 **MR. PHILLIPS:** No. The draft statement of work
6 will be on the web following the National Academy of Sciences meeting in June.

7 **DR. FEUER:** So, that should actually say, June
8 1997, right? Oh, it does say that, sorry.

9 **MR. PHILLIPS:** There would never be an error...
10 What is on the web now is the RFP for the development of the test, the reading
11 and math.

12 **MS. KOVAR:** Mary Grace Kovar, National Opinion
13 Research Center. That's a very strange schedule.

14 **MR. PHILLIPS:** What's strange about it?

15 **MS. KOVAR:** Well, the meeting is June 12th and
16 13th. After that, you're going to put it on the web site for comment for two
17 weeks, which means we'll still be getting comments until the end of June.
18 You're going to have it on the street in July, published in CBD?

19 **MR. PHILLIPS:** Right.

20 **MS. KOVAR:** CBD can wreck that schedule.

21 **MR. PHILLIPS:** No, this has worked just fine. This
22 is basically the same schedule we've used. In fact, this is not nearly as large,
23 complicated an RFP as the one that we just did, which basically followed the
24 same schedule.

25 **MS. KOVAR:** Okay. Most people can't.

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1 **MR. PHILLIPS:** Again, when you have the
2 President's commitment, you can do a lot within the government, to get things
3 moving.

4 **MS. KOVAR:** That's why I suddenly corrected
5 myself, maybe you can.

6 **MR. PHILLIPS:** Yes?

7 **DR. FEUER:** One sort of instrumental question,
8 Gary, and then obviously we'll have to talk some more about this, in anticipation
9 of the June meeting. But are you suggesting today that the draft SOW will be
0 available at the June meeting and be part of the discussion?

1 **MR. PHILLIPS:** No, it will be available after the
2 June meeting.

3 **DR. FEUER:** So, the very first line on that chart, I
4 still can read, you see. Drafted May 1997. What does that really refer to?

5 **MR. PHILLIPS:** It doesn't mean it's going to be
6 available for public comment.

7 **DR. FEUER:** Okay.

8 **MR. PHILLIPS:** That's what Dan has been talking
9 about. He's been drafting it.

0 **DR. FEUER:** Can I ask...shift back to some of the
1 earlier discussion that we were having here. This really goes, I think to the
2 question that Frank Newman asked earlier, about the Federal role. It might
3 help, Gary, if you clarified for us again that the whole purpose behind this
4 structure, this model that you have, I mean, it is primarily one of quality control.

5 ~~Periodically you make the analogy to other testing programs, where it's~~

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1 essentially left to more or less private market decisions, as to who administers
2 the test and who signs up for it. What you're introducing here is an attempt at
3 quality control and maybe you want to say a little bit more about the underlying
4 purpose of having this intermediary, because theoretically you could invest in
5 the development of a test, let the test developer market the test to States and
6 LEAs who wanted to, and let them take care of security and appropriate test use
7 and reporting and all of that. But there is here something having to do with
8 quality control, which goes back to the point about what is the current and
9 emerging Federal role in this? Which I think is a very significant set of
10 questions.

11 **MR. PHILLIPS:** That's a good question. I think
12 you're right. This is an effort to building quality control. The way I see this is,
13 this sort of goes back to a conversation that Frank Newman and I had actually
14 before the meeting. This is information that the Federal Government, this is a
15 way of getting information about students that's useful to parents and teachers,
16 that the Federal Government is providing. We're developing, through a
17 contract, developing the test, making it available, standing behind its technical
18 integrity. The way you stand behind its technical integrity is A, it has to be
19 developed properly, the calibrating, the scaling all of that has to be done
20 scientifically. Then as the test is used, in order to again stand behind its
21 integrity, it has to be used in a way that there's a level playing field. In one
22 state, in one district, there's no question as to whether or not it's being scored
23 properly, it's being administered properly, the security conditions are
24 maintained. So, there has to be some way of maintaining that quality control
25 and guaranteeing to the public and the government that there's a level playing

1 field. Now you don't want that to be too strict. For example in NAEP, it's very
2 strict, because the Federal Government is basically funding the whole thing.
3 So, you don't want it to be too strict, but on the other hand, you don't want it to
4 be so lenient that there's, that you have questions about these things. So, this
5 is sort of a way of finding a balance, a mid point where there's still some
6 flexibility, there's still a lot of sharing of the contractual activities around the
7 country. By creating a management company, a licensing company, you are at
8 a bit of a distance from the government and later on, there will be an advisory
9 structure to this whole activity that's not in place right now. That advisory
0 structure will have a big role in all this activity. So, that's sort of the way it's
1 going. So, it is an attempt to building quality control, without being too
2 restrictive.

3 **MR. URWITZ:** Just to follow up on the question.
4 Jay Urwitz, a follow up on the question about the participation. I take it that you
5 do not envision that the management contractor will be a licensed provider?

6 **MR. PHILLIPS:** That's correct.

7 **MR. URWITZ:** Okay. I just wanted to make it
8 explicit.

9 **MR. PHILLIPS:** Yes.

0 **MR. SNOWHITE:** Larry Snowwhite. You just talked
1 about advisory structure. Is that the advisory function of the development
2 contractor?

3 **MR. PHILLIPS:** No, there will be an overall
4 advisory committee to the project at some point. That committee is not in place
5 yet.

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1 **MR. SNOWHITE:** To the management or to the
2 national testing...

3 **MR. PHILLIPS:** To the Government, the whole
4 project. There will be an overall advisory committee.

5 **MR. NEWMAN:** All five?

6 **MR. PHILLIPS:** Yes.

7 **MR. MORRILL:** To whom are they accountable,
8 Gary?

9 **MR. PHILLIPS:** To whom is the management
10 contractor accountable?

11 **MR. MORRILL:** To whom is the advisory
12 committee accountable?

13 **MR. PHILLIPS:** If it's a Federal Advisory
14 Committee...

15 **MR. MORRILL:** Why is it a Federal Advisory
16 Committee?

17 **MR. PHILLIPS:** Why are there Federal...

18 **MR. MORRILL:** No, no. Why is it a Federal
19 Advisory Committee, as opposed to an advisory committee to the management
20 contractor?

21 **MR. PHILLIPS:** Sue, do you want to comment?

22 **MS. BETKA:** We just don't know yet. We haven't
23 established a Federal Advisory Committee.

24 **MR. PHILLIPS:** That's the plan, but again the
25 advisory structure is still in, under discussion on the project.

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1 **MR. MORRILL:** Bill Morrill. I was going to wait until
2 you got to the last question. You're still not clear with yourselves about where
3 this federal role is, where its limitations are. If you're taking the view, as Mike
4 discussed earlier, that this test is to be national, but not federal and you are an
5 instrumentality of putting it in place, at some point, you need to let go, if you
6 want to make that real.

7 **MR. PHILLIPS:** That's correct. That's right.

8 **MR. MORRILL:** And that the entity which is created
9 here, called the management contractor, not a very elegant term, for a quite
0 elegant purpose.

1 **MR. PHILLIPS:** I see.

2 **MR. MORRILL:** Is indeed in charge of this
3 operation, which you all may finance in part, but not try and run it, which you
4 were doing at the beginning. You need, that's going to affect a lot of the
5 questions that have been asked here about, it affects what criteria exists as to
6 its selection. It importantly affects what the conflict of interest rules are with
7 respect to it, which I think, I was a little worried about where you were at the
8 outset, but as I understand where you now are, whoever is this management
9 contractor gets to do that job and no other.

0 **MR. PHILLIPS:** That's right. That's right.

1 **MR. MORRILL:** And that, I think, is important to
2 some of the people in this room, as to whether that's an exciting enough role of
3 what they want to do with their time, as opposed to giving tests or other kinds of
4 things that they do normally in their professional lives.

5 **MR. PHILLIPS:** Right.

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1 **MR. MORRILL:** It needs to finally be concerned
2 with what are the, how are you going to solve hard problems that may, hopefully
3 don't, but may come up. Some have been the limits of the authority of this entity
4 you're creating. We've already decided that you can tell States no, if they don't
5 do it right, they can't get into the game. I mean, I think that's fair enough, but it's
6 only one of what if somebody comes up with alternative tests and says, I've got
7 a better way to test the same thing. I've got, you know, other appeals, the State
8 doesn't like what the authority has decided with respect to them. Can they take
9 their complaints somewhere?

10 **MR. PHILLIPS:** Again, I think...the same question
11 keeps coming up in different ways. You're right, the enforcement, the authority
12 of this is still something that we have to get worked out. It does in fact relate to
13 the role of the Federal Government. Let me be real clear, when I say the
14 Federal Advisory Committee, if the Federal Government still has the role it
15 currently has, that Advisory Committee will likely be under FACA. If there is a
16 change in that, then there still will be an advisory structure, but it obviously
17 would not be under FACA. So, but how that gets worked out, I don't know. It's
18 going to take some months...

19 **MR. MORRILL:** But it does seem to me, in terms of
20 what vision you have for who ends up applying for, in an institution like Frank's,
21 for example, or is it one of the other people who are in the testing business, is
22 what's appropriate? Presumably you need to think a little bit about that, and
23 when you come to writing the RFP, you need to be at least modestly clear about
24 what vision you've got in your head.

25 **MR. PHILLIPS:** Trust me, we're aware of this

1 problem. That's why we have here...these are some questions which you've
2 already started talking about. But unfortunately you're asking me the questions,
3 as opposed to giving me solutions. These are my questions. Some of the
4 things that we need to get nailed down, and we're going to do it through this
5 meeting, that is through public discussions. The meeting at the National
6 Academy of Sciences. But what I've given you today is a proposal. I've given
7 you a proposal, where we are today. But there are still lingering questions.
8 What types of companies or organizations are best suited to manage this
9 licensing? Is it an association? Is it a management company? Is it a statistical
0 company? There are all different types of companies that could do this. Is it a
1 consortium? Any views you have on that. Let me just go through the questions.

2 Are you aware of any other activities that are licensed in this way,
3 other testing programs? We spent a lot of time talking with the Nuclear
4 Regulatory Commission and the FAA and others, and worked through other
5 federal agencies that do a number of licensing. We tried to find some model
6 there. Can you think of other models that might be used to guarantee quality
7 control? I mean, for example, several people keep saying, well, can you get a
8 list of scoring companies, a list of printing companies, that's another model. Are
9 there other ways that we can look at this? What we have come up with is a
0 model where a single license is given to a company or consortium of companies
1 that can do all four things. Finally, what have we overlooked here, what's
2 missing? Is there some big piece of the puzzle that we've overlooked? Advice
3 or information from you on any one of these four questions would be
4 appreciated.

5 **DR. FEUER:** Mike Feuer again, and I know you're

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1 frustrated because you're asking questions and we're answering with other
2 questions. There's a long tradition of that, actually.

3 **MR. NEWMAN:** And you remember what
4 happened with the fellow that started it.

5 **DR. FEUER:** Here's a question. Have you
6 decided, for example, what the duration of the contract would be with this
7 management company?

8 **MR. PHILLIPS:** I think it's five years. Isn't that
9 right?

10 **MR. SLATTERY:** Yes, it is.

11 **DR. FEUER:** So, that is a contract between the
12 Federal Government and a company.

13 **MR. PHILLIPS:** Yes.

14 **DR. FEUER:** Which would therefore undergo some
15 kind of periodic monitoring.

16 **MR. PHILLIPS:** Just like a regular contract. This is
17 a regular contract. That's why contracts...

18 **DR. FEUER:** So, this is partly...Bill, I think this gets
19 to the question of what the...doesn't exactly get there, but it...

20 **MR. PHILLIPS:** We thought about, should this be a
21 grant, should it be a cooperative agreement? We had long meetings on this
22 with OGC and others and I think we generally agree that it needs to be a
23 contract. So, I think that's been resolved, it's going to be a contract. It's not
24 going to be a grant. Yes?

25 **MR. NEWMAN:** Gary, Frank Newman. Let me just

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1 try and answer, at least slightly, so we have at least one occasion where
2 somebody has answered you.

3 I think it's, when you think about this set of questions, it's
4 important to keep in mind that while this is in fact a service in a way that you're
5 talking about licensing, it's embedded in a much larger issue. The larger issue
6 is a federal issue, which is the Federal Government providing information to the
7 country about the progress of education. If you think back, that was the start of
8 the Office of Education.

9 **MR. PHILLIPS:** That's right.

0 **MR. NEWMAN:** I personally think that's what this
1 is.

2 **MR. PHILLIPS:** I personally think it is too.

3 **MR. NEWMAN:** That may be slightly out of
4 character, but I really believe that is the appropriate role for the Federal
5 Government. So, the piece of advice I would offer is, whatever is set up, don't
6 lose the capacity to evolve toward a federal role, a federal role of providing
7 national data to the rest of the country on the progress of education. There are
8 reasons, political reasons, and you've been delicately putting them on the table
9 slowly, as to why this has to be done with some care. Because there's a lot of
0 concern about the role of the Federal Government and so on. But in the end,
1 there are other parts of information that need to gradually merge with this, and
2 become a federal capacity to provide information, so that the rest of the country
3 can run the education system. So, don't lose that in bending over backward, in
4 order to achieve a degree of separation.

5 **MR. PHILLIPS:** Right. That's very, very well said.

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1 I appreciate that. Yes?

2 **MR. RUDNER:** It's hard to say anything smart after
3 that. I'm looking at your question #2, previous examples. About five or six years
4 ago, the Federal Government started going into benefit testing, which has
5 continued on, it's a total fiasco, or many people feel that it's a total fiasco.
6 Originally the license manager were the trade associations. There's a great
7 deal of variability between associations, most of which did a horrible job. The
8 Federal Government took it back, an inadequate review in it, and virtually
9 anybody that applies to be a licensee gets a license. Again, the quality control
10 isn't there. I think the lessons to be learned are, be sure that the contractor and
11 your resources are adequate for the job. Because that has never been the
12 case.

13 **MR. PHILLIPS:** I appreciate the comment, and I
14 have had long conversations with the staff here that worked on that. They've
15 given me basically the same advice. Yes?

16 **MS. WILLIAMS:** Valerie Williams, Research
17 Triangle Institute. There's been pretty strong emphasis on printing and
18 publishing. Of course you need standardized administration conditions and
19 timely scoring. Has there been any discussion or any interest in computerized
20 adoptive testing for the national tests, in the test development item
21 specification?

22 **MR. PHILLIPS:** As part of the research component,
23 computerized testing is in there but it's not a front burner issue at this point. The
24 ones that we need to deal with initially are going to have to do with the validity of
25 ~~the tests for special populations, and the validity of the tests for special uses. In~~

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1 the long run, we would like to move this in a computer environment, but that's
2 not a 1999 issue. Yes?

3 **MR. SNOWHITE:** Gary, just three mechanical
4 questions. One, what budget pot does this program come under? Is it FIE or
5 what?

6 **MR. PHILLIPS:** It's FIE in 1997 and 1998. In the
7 year, in the fiscal year '99, we will be seeking Congressional appropriations.

8 **MR. SNOWHITE:** So, you're saying that you're,
9 you currently are funded for this function for '97 and '98 out of FIE?

0 **MR. PHILLIPS:** Sue, can I pass that to you?

1 **MS. BETKA:** Sure. If we get level funding in FIE,
2 yes, we are funded for '98. We'll request additional money in '99, probably
3 under FIE as well.

4 **MR. SNOWHITE:** Second question. How long of a
5 comment period on the draft statement of work?

6 **MR. PHILLIPS:** It's usually two weeks, I believe.

7 **MR. SNOWHITE:** Third, I will again ask, when will
8 the product be due? The contract will be awarded in November?

9 **MR. PHILLIPS:** I don't know.

0 **MR. SNOWHITE:** It's awarded November of '97,
1 when does the marketing, the enforcement, the parameters go out...

2 **MR. PHILLIPS:** The specifics of the RFP, I don't
3 think I want to get into. You're asking like when would the work be done?

4 **MR. SNOWHITE:** When will the entity that is
5 awarded the RFP be anticipated to produce a product, so that that can be

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1 overlaid with the timeline for the national assessment?

2 **MR. SLATTERY:** I can respond. The kick off
3 meeting is five days after the contract is awarded. After that, there is a specified
4 time frame where issues that the awardee had addressed in the RFP will ask to
5 provide additional information or refine it or clarify it, and all the time frames and
6 all the deliverables will also be structured at that time.

7 **MR. PHILLIPS:** My advice is, I'm a little
8 uncomfortable, you're asking your questions about the RFP. I don't want to
9 answer questions about the contents of the RFP. You can see that on the web
10 when it's available in two weeks.

11 **MR. SNOWHITE:** I'm really not asking in the
12 context of the RFP, but trying to get a sense of the coordination of the
13 development and administration of the test.

14 **MR. PHILLIPS:** Right. I understand, I'm
15 uncomfortable because both of those RFPs, neither of them have been awarded
16 and I'm uncomfortable talking about that. Yes?

17 **MS. De'LIBERTO:** Why is it on, Deanna De'Liberto
18 from D Squared Assessment. Why is it that administration is not listed as one of
19 the things that a licensing or management company has to think about? I see
20 that you have printing, distribution, retrieval, scoring and reporting. But
21 shouldn't there also be standards for administration that comes out of the
22 management end as well?

23 **MR. PHILLIPS:** Sue, you want to answer that
24 question?

25 **MS. BETKA:** Well, it's standard, yes, but not doing

1 it.

2 **MS. De'LIBERTO:** Very clear on that.

3 **MS. BETKA:** That's why it's not there.

4 **MS. De'LIBERTO:** But that management company
5 has to certify that a licensee is capable of doing printing, distributing, scoring,
6 reporting, and I would think administration should be added to that.

7 **MR. PHILLIPS:** Maybe we need to add it in some
8 way.

9 **MR. RUDNER:** At your web site you have an e-
0 mail address, a nationaltests @Ed.go, can you e-mail questions and
1 suggestions to that, or is that for the public?

2 **MR. PHILLIPS:** We still have the, I'm not
3 sure...during the comment period we had a person, we had an address...we had
4 a person that you could send questions to. Do you know, Helen, if that's still
5 there or has it been taken off?

6 **MS. CHANG:** I'm Helen Chang from the Contracts
7 Office. On your page there's a general mailbox now. So, questions...

8 **MR. PHILLIPS:** Larry, we'll check into it.

9 **MR. RUDNER:** I'm thinking of questions I might come up with or
0 suggestions that might come up, between now and...

1 **MR. PHILLIPS:** I believe there is a mailbox. I know
2 we had it during the comment period, but I'm not sure...

3 **MS. De'LIBERTO:** So, we could e-mail you?

4 **MR. PHILLIPS:** Absolutely right. Okay. I think
5 we're running out of time. I appreciate your help. I hope you join us at the

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1 meeting in June. I hope that all of you bid for this thing. It would be great to
2 have lots of bidding. Thank you very much.

3 (**WHEREUPON**, the Public Meeting was concluded at 12:00 p.m.)
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13 **CAPTION**

14 The Public Meeting in the matter, on the date, and at the time and place
15 set out on the title page hereof.

16 It was requested that the Meeting be taken by the reporter and that same
17 be reduced to typewritten form.
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